



Waters

Docket No. 19921/45

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael J. Leveille Serial No.: 09/702,513
Examiner: Rosenberger, Richard A. Confirmation No. 9261
Filed: 10/31/2000 Art Unit: 2877 Class: 356-436000
For: APPROACH TO SHORT MEASUREMENT PATH-LENGTH FLOW CELLS

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.8 (a)

I hereby certify that the attached correspondence identified below is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop: Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 20, 2004.

Anthony J. Janiuk, Esq.

Dear Sir:

Enclosed please find the following documents relating to the above identified application.

- 1) Certificate of Mailing (under CFR 1.8(a) / Transmittal Letter
- 2) Reply to Correct Formal Drawings
- 3) Copy of Notice To File Corrected Application Papers
- 4) Substitute drawings in compliance with 37 CFR 1.84,
FIG. 1 – FIG. 4b (3 sheets)
- 5) Prepaid Return Postcard

**TRANSMITTAL LETTER
TRANSMITTAL OF FORMAL DRAWINGS**

Enclosed herewith is the Transmittal Letter, Reply to Correct Formal Drawings, Copy of Notice To File Corrected Application Papers, Substitute drawings and Prepaid Return Postcard. No fees are due at this time. In the event, Applicant is mistaken as to the calculation of fees, Applicant authorizes the Commissioner to charge any additional fees to Account No. 25-0503.

A duplicate copy of this sheet is enclosed.

Attorney for Applicant
Anthony J. Janiuk

April 20, 2004



Docket No. 19921/45

REPLY TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

In response to an outstanding Notice to File Corrected Application Papers, dated April 20, 2004, part of paper no. 0104. Applicants make the present filing of drawings and introduce the following remarks.

In the Drawings

Please substitute the enclosed drawings Fig. 1 (Prior Art), Fig. 2 (Prior Art) Fig. 3a, Fig. 3b, Fig. 4a and Fig. 4b, comprising of 3 sheets.

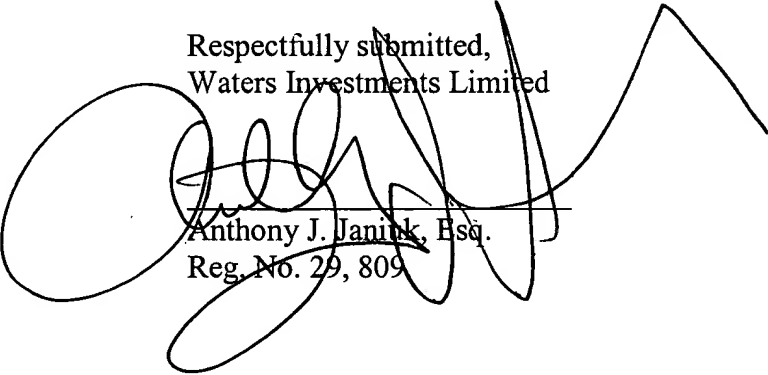
Remarks

Reconsideration of the present Application is respectfully requested. Applicant has filed new drawings to address the informality identified in the Application papers.

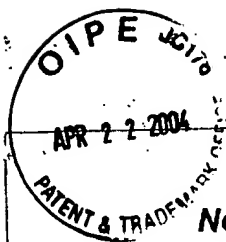
Each sheet of drawing indicates the identifying indicia, suggested in 37 C.F. R. 1.84(c), on the reverse side of the drawing.

Applicant respectfully submits the present application is in condition for allowance which action is earnestly solicited.

Respectfully submitted,
Waters Investments Limited


Anthony J. Janink, Esq.
Reg. No. 29, 809

Date: April 20, 2004
Tel. No. (508) 482-2714
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Notice of Allowability

Application No.	Applicant(s)	
09/702,513	LEVEILLE ET AL.	
Examiner	Art Unit	
Richard A Rosenberger	2877	NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 12/19/2003.
2. ☒ The allowed claim(s) is/are 1-14 and 22.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <input type="checkbox"/> Notice of References Cited (PTO-892) | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | <input type="checkbox"/> Other |

